

Law Office of Charles E. Krueger
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Walnut Creek, CA 94596
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Fax: (925) 944-3363
Email: ckrueger@sbcglobal.net

**LAW OFFICE OF
CHARLES E.
KRUEGER**

Fax

To: Latrice Bond, Office of Petitions	From: Charlie Krueger
Fax: 703 308 6916	Pages: 11 including cover sheet.
Phone: 703 308 6911	Date: 4/22/2003
Re: A/N 09/481,984	CC:

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• **Comments:** Please deliver to Latrice. Please give me a call if you need anything else. Thank you for all your help.

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**UNITED STATES PATENT AND TRADEMARK OFFICE**

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United States Patent and Trademark Office
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Paper No. 11

Charles E. Krueger
Law Offices of Charles E. Krueger
POB 5607
Walnut Creek, CA 94596

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APR 03 2003

OFFICE OF PETITIONS

In re Application of
Michael D. Doyle
Application No. 09/481,984
Filed: January 11, 2000
Attorney Docket No. 19850-2US

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed January 21, 2003, to revive the above-identified application.

The petition is **GRANTED**.

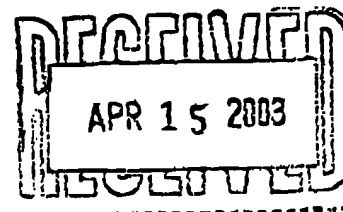
The above-identified application became abandoned for failure to reply in a timely manner in reply to the non-final Office action mailed July 24, 2002, which set a shortened statutory period for reply of three months. Extensions of time under the provisions of 37 CFR 1.136 were obtained on January 24, 2003. Accordingly, the above-identified application became abandoned on January 25, 2003.

The two-month period for filing an appeal brief in triplicate (accompanied by the fee required by 37 CFR 1.17(c)), runs from the date of this decision.

Telephone inquiries concerning this decision should be directed to Latrice Bond at (703) 308-6911.

The application file is being forwarded to Technology Center AU 2154 for further processing.

Latrice Bond
Paralegal Specialist
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

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TO THE U.S. PATENT & TRADEMARK OFFICE:

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☐ Credit Card Form 2038
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☐ Statement (of assignee/patent owner) SB/96
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☐ Statement (of assignee/patent owner) SB/96
☐ Declaration (of inventor)
☐ Application Data Sheet
☐ Recordation Cover Sheet (for Assignment)
☐ Assignment of Patent Application
☐ Information Disclosure Statement
☐ Formal Drawings

DATE MAILED: 1/16/03

DET: 001-3



- ☒ Other: 1) Notice of Appeal PTO/SB/31
 2) Petition for Revival... PTO/SB/64

A/N: 09/481,984 FILING DATE: 01/11/2000 DOCKET: 001-3

09/481,984

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PETITIONS OFFICE

LAW OFFICE OF CHARLES E. KRUEGER
P.O. Box 5607
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TO:

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WASHINGTON, D.C. 20231

PTO/SB/21 (08-00)

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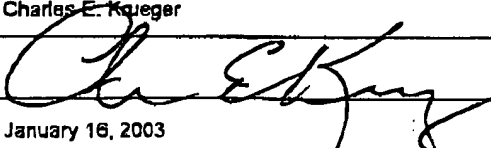
Approved for use through 10/31/2002. OMB 0651-0031

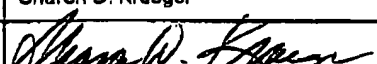
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/481,984	
	Filing Date	01/11/2000	
	First Named Inventor	MICHAEL D. DOYLE	
	Group Art Unit	2154	
	Examiner Name	EL HADY	
Total Number of Pages in This Submission	6	Attorney Docket Number	001-3

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1) Petition for Revival of an Application Abandoned Unintentionally Under 37 CFR 1.137(b) 2) Return Postcard
Remarks: The Commissioner is authorized to charge any additional fees to Deposit Account 502267.		FAX RECEIVED APR 22 2003 PETITIONS OFFICE

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Charles E. Krueger Reg No. 30,077
Signature	
Date	January 16, 2003

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:	
January 16, 2003	
Typed or printed name	Sharon D. Krueger
Signature	
Date	January 16, 2003

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SF 1244040 v1

Approved for use through 04/30/2003. OMB 0651-0032
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FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 810

Complete If Known

Application Number 09/481,984
Filing Date 01/11/2000
First Named Inventor MICHAEL D. DOYLE
Examiner Name EL HADY
Art Unit 2154
Attorney Docket No. 001-3

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METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit
Account
Number
Deposit
Account
Name

502267

LAW OFFICE OF CHARLES E.

KRUEGER

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☐ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entry Fee Code (\$)	Small Entry Fee Code (\$)	Fee Description	Fee Paid
1001 750	2001 375	Utility filing fee	
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 180	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$ 0

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entry Fee Code (\$)	Small Entry Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 84	2201 42	Independent claims in excess of 3
1203 280	2203 140	Multiple dependent claim, if not paid
1204 84	2204 42	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0

**or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued) APR 22 2003

3. ADDITIONAL FEES

Large Entry Fee Code (\$)	Small Entry Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 820*	1804 820*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 410	2252 205	Extension for reply within second month	
1253 830	2253 465	Extension for reply within third month	
1254 1,450	2254 725	Extension for reply within fourth month	
1255 1,970	2255 985	Extension for reply within fifth month	
1401 320	2401 160	Notice of Appeal	160
1402 320	2402 160	Filing a brief in support of an appeal	
1403 280	2403 140	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650	Petition to revive - unintentional	650
1501 1,300	2501 650	Utility issue fee (or reissue)	
1502 470	2502 235	Design issue fee	
1503 630	2503 315	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1808 180	1808 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))	
1801 750	2801 375	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 810

SUBMITTED BY

Name (Print/Type) Charles E. Krueger

Registration No. 30,077
Attorney/Agent

(Complete if applicable)

Telephone 925-944-3320

Signature

Date

January 16, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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PTO-2038 (02-2000)

Approved for use through 01/31/2003. OMB 0651-00-3

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Credit Card Expiration Date: 09/05

Name as it Appears on Credit Card: Charles E. Krueger

Payment Amount: \$(US Dollars): \$810

Signature: 

Date: January 16, 2003

Refund Policy: The Office may refund a fee paid by mistake or in excess of that required. A change of purpose after the payment of a fee will not entitle a party to a refund of such fee. The Office will not refund amounts of twenty-five dollars or less unless a refund is specifically requested, and will not notify the payor of such amounts (37 CFR 1.26). Refund of a fee paid by credit card will be via credit to the credit card account.

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Fax #: (925) 944-3363

Request and Payment Information

Description of Request and Payment Information:

- 1) FEE FOR NOTICE OF APPEAL, SMALL ENTITY...\$160
- 2) FEE FOR PETITION FOR REVIVAL, SMALL ENTITY...\$650

Patent Fee	Patent Maintenance Fee	Trademark Fee	Other Fee
Application No. 09/481,984	Application No.	Serial No.	IDON Customer No.
Patent No.	Patent No.	Registration No.	
Attorney Docket No. 001-3		Identify or Describe Mark	

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PTO/SB/84 (10-01)

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3. Terminal disclaimer with disclaimer fee

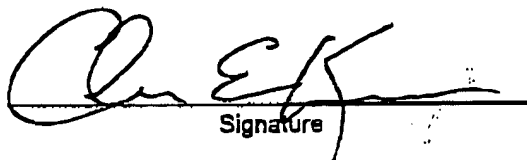
- ☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

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January 16, 2003

Date



Signature

Telephone

Number: (925) 944-3320

Charles E. Krueger

Typed or printed name

Law Office of Charles E. Krueger

Address

POB 5607

Walnut Creek, CA 94596

Enclosures: ☒ Fee Payment☒ Reply☐ Terminal Disclaimer Form☐ Additional sheets containing statements establishing unintentional delay☐ Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

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January 16, 2003

Date



Signature

Sharon D. Krueger

Type or printed name of person signing certificate

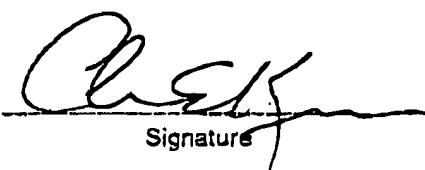
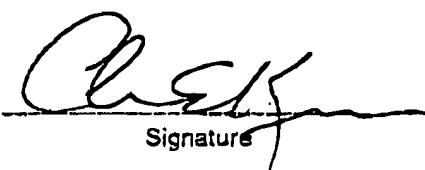
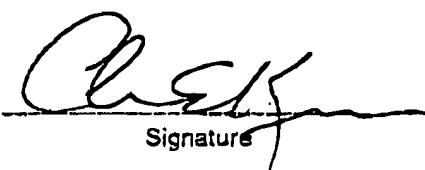
#18

PTO/SB/31 (02-01)

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NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) 001-3					
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Assistant Commissioner for Patents, Washington D.C. 20231" on <u>January 16, 2003</u> . Signature <u><i>Sharon D. Krueger</i></u> Typed or printed name <u>Sharon D. Krueger</u>		In re Application of <p style="text-align: center;">MICHAEL D. DOYLE</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Application Number 09/481,984</td> <td style="padding: 2px;">Filed 01/11/2000</td> </tr> </table> For METHOD AND SYSTEM FOR HYPERMEDIA BROWSER API SIMULATION TO ENABLE USE... <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Group Art Unit 2154</td> <td style="padding: 2px;">Examiner EL HADY, NABIL M.</td> </tr> </table>		Application Number 09/481,984	Filed 01/11/2000	Group Art Unit 2154	Examiner EL HADY, NABIL M.
Application Number 09/481,984	Filed 01/11/2000						
Group Art Unit 2154	Examiner EL HADY, NABIL M.						
<p>Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.</p> <p>The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$ <u>320</u></p> <p><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ <u>160</u></p> <p><input type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input checked="" type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input type="checkbox"/> The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.</p> <p><input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>502267</u>. I have enclosed a duplicate copy of this sheet.</p> <p><input type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.</p> <p>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>I am the</p> <table style="width: 100%;"> <tr> <td style="width: 60%; vertical-align: top;"> <input type="checkbox"/> applicant/inventor. <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96) <input checked="" type="checkbox"/> attorney or agent of record. <input type="checkbox"/> attorney or agent acting under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a): _____ </td> <td style="width: 40%; vertical-align: top; text-align: center;">  Signature <u>Charles E. Krueger</u> Typed or printed name <u>January 16, 2003</u> Date </td> </tr> </table> <p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below".</p> <p><input type="checkbox"/> Total of _____ forms are submitted.</p>				<input type="checkbox"/> applicant/inventor. <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96) <input checked="" type="checkbox"/> attorney or agent of record. <input type="checkbox"/> attorney or agent acting under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a): _____	 Signature <u>Charles E. Krueger</u> Typed or printed name <u>January 16, 2003</u> Date		
<input type="checkbox"/> applicant/inventor. <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96) <input checked="" type="checkbox"/> attorney or agent of record. <input type="checkbox"/> attorney or agent acting under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a): _____	 Signature <u>Charles E. Krueger</u> Typed or printed name <u>January 16, 2003</u> Date						

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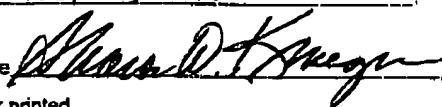
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) 001-3	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Assistant Commissioner for Patents, Washington D.C. 20231" on <u>January 16, 2003</u> . Signature <u></u> Typed or printed name <u>Sharon D. Krueger</u>		In re Application of MICHAEL D. DOYLE Application Number <u>09/481,984</u> Filed <u>01/11/2000</u> For METHOD AND SYSTEM FOR HYPERMEDIA BROWSER API SIMULATION TO ENABLE USE... Group Art Unit <u>2154</u> Examiner <u>EL HADY, NABIL M.</u>	

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$ 320

☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ 160

☐ A check in the amount of the fee is enclosed.

☒ Payment by credit card. Form PTO-2038 is attached.

☐ The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 502267. I have enclosed a duplicate copy of this sheet.

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

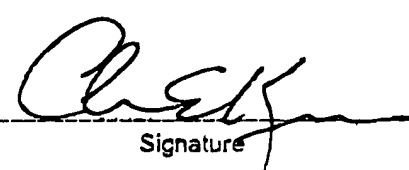
I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

☒ attorney or agent of record.

☐ attorney or agent acting under 37 CFR 1.34(a).
Registration number if acting under 37 CFR 1.34(a) _____


 Signature

Charles E. Krueger
 Typed or printed name

January 16, 2003
 Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ *Total of _____ forms are submitted.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231

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APR 22 2003

TOTAL P.11

PETITIONS OFFICE